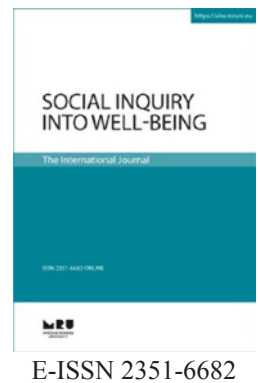




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Divorced women in Nigeria: Empowered or Disempowered?

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Abstract

This paper is a report of a study that investigates the outcomes of divorce among divorced women in semi-urban and rural communities in Ekiti State, Nigeria to determine whether they were empowered or disempowered being divorced. A total of 52 divorced woman purposively selected were interviewed. The findings revealed that almost half of the divorced women reported that they were empowered in some areas depending on their socio-economic status, educational qualifications and age but overall, the outcome(s) of divorce was more disempowering than empowering for the vast majority of the divorced women. Within this context, understanding reasons for disempowerment of divorced women is a key theme for understanding marriage, divorce and empowerment in Nigeria.

Keywords: Divorce, Empowerment, Marriage, Disempowerment, Patriarchy.

Introduction

Divorce rates across most nations of the world with reliable data have increased since the 1970s while marriage rates have declined. An important reason why marriage is controversial is that it is in decline (Garrison, 2008). The decline in marriage rates and increase in divorce rates reflect, in part, the side effects of some positive socio-economic changes. In the last 20th century, declining marriage rates and increasing divorce rates correlate with women gaining more access to education, greater control over their fertility (i.e. more access to reliable contraception), and greater participation in the paid workforce (United Nations Economic and Social Affairs Population Division, 2003).

Leach (1955) argued that no one definition of marriage applied to all cultures, it is rather a collection of rights. A nonethnocentric definition of marriage is a culturally sanc-

tioned union between two people that establishes certain rights and obligations between the people, between them and their children, and between them and their in-laws (Haviland, 2011).

Globally, people marry for different reasons and one of the major reasons is to form a family. The family is a very important social institution which is critical for the wellbeing of individuals and of society. The International Covenant on Economic, Social and Cultural Rights 1966 states:

“The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group of society.”

In Nigeria, as in other sub-Saharan African countries, marriage is near universal and it is for companionship, procreation, care and support for one another, significantly enhancing the status of women, increasing the potential for women economic self-sufficiency, gain security of economic

support for herself and her children (Giesen, 1994), protection of each other, honor and continuity of kinship and community. Marriages in Nigeria take place under three legal systems (Center for Reproductive Rights 2003, 83): Islamic (*Maliki* school of law), civil (statutory law), and customary (tribal/traditional law) (Denmark Jan. 2005, 68). In general, marriages in the north of the country are under Islamic law, while those in the predominantly Christian south (*Country Reports 2004*, Sec. 2.c) are under statutory law (Denmark Jan. 2005, 68).

The Child Rights Act in Nigeria, passed in 2003, increased the minimum age of marriage to 18 for girls which means a significant part of a woman's life has been established formally by law. However, due to numerous socio-cultural and economic factors, divorce is becoming an integral part of a woman's life and the consequences vary from culture to culture. In the United States, first marriages have a 45% chance of breaking up and second marriages have a 60% chance ending up in divorce and it was no accident that 80% of divorces occurred in the first nine years of a marriage (Wallerstein, Lewis, & Blakeslee, 2000). Although our society values marriage as a lifelong commitment and couples explain they plan to work hard to stay together, many couples still recognize the possibility that their marriage might not work out (Furstenberg & Cherlin, 1991).

Divorce or the dissolution of marriage is the termination of a marital union, the canceling and/or reorganizing of the legal duties and responsibilities of marriage, thus dissolving the bonds of matrimony between a married couple under the rule of law of the particular country and/or state. Some scholars have suggested that divorce manifests not so much as devaluation of marriage but from the negative consequences of idealizing marriage (Furstenberg & Spanier, 1987). The process of divorce is primarily one of family disorganization (Ahrons & Rodgers, 1987) and it has become a commonplace in societies which remains a serious life-changing event with an impact that goes far beyond the divorcing couple to their families and future generations (Titelman, 2003).

In Nigeria, divorce rate is high and increasing, shaped by several factors which have different outcomes for those involved. The Real News Magazine's research in 2013 reported that at the Customary Court, Ikeja, Lagos and the Customary Court, Ojo, Lagos, 354 applications for divorce were filed in the 2010-2012 period. "Ninety-three applications succeeded, thirty were withdrawn, while 231 were pending in the two courts. Nigeria inherited the bulk of her legal system from England such that the Nigerian divorce law can never be complete without reference to the English divorce law (Ifemeje, 2008). Nigeria has a Matrimonial Causes Act to regulate divorce. In the Nigerian law of divorce, there is fault and no-fault principle of divorce where fault divorce is a divorce granted to one spouse on the basis of some proven wrongful act by the other spouse and traditionally, the common grounds for a fault divorce were adultery, abandonment, imprisonment, and physical or mental cruelty while the defenses to alleged fault in a petition for divorce were condonation, connivance, collusion, recrimination and insanity while no-fault divorce is a divorce in which the parties are not required

to prove fault or grounds beyond a showing of the irretrievable breakdown of the marriage or irreconcilable differences (Nnabugwu, 2013).

However there are several marriage systems in Nigeria and each frequently take charge of their own procedures. In principle, divorce is on a 'no fault' basis although fault frequently appears to be used in argument. The extent of the consequences of divorce varies greatly from country to country, with marked differences between developed and developing countries.

According to The International Encyclopedia of Marriage and Family (2003), most research regarding divorce and its impact on adults has assumed a deficit perspective—divorce is bad and has a negative effect on families. This perspective is reflected in the questions asked, the outcomes investigated, results showing negative outcomes, and the interpretation of these results. As noted, cross-cultural studies that investigate the potentially positive effects of divorce find that divorce can increase self-confidence, self-efficacy, well-being, and relief from a bad marriage for some.

There is dearth of research that aim to explore the various influences of divorce on women in Nigeria. The question of whether a woman is empowered or disempowered being divorced in Nigeria requires an empirical enquiry with a focus on women in semi-urban and rural communities in Ekiti State, Nigeria. The aim of this paper is to identify what the outcomes of divorce are for women whether they are empowered or disempowered using basic indicators and dimensions of empowerment to assess their status after divorce. In order to achieve the aim of this study, the following questions were raised: Was divorce initiated by the woman, man or significant others? Does social network play a role in the divorce process? Were there negotiations between the women and their ex-husbands before divorcing? How does divorce influence women from their experiences?

Theoretical framework

The use of theories as analytical tools helps to shape the structure of qualitative research in order to develop a critical understanding of the study. In other to link this study to a wider theoretical context, Empowerment theory and Patriarchal bargaining will be used to explain how divorce influence the women affected.

Empowerment theory

Empowerment, in its most general sense, refers to the ability of people to gain understanding and control over personal, social, economic and political forces in order to take action to improve their life situations (Israel *et al.*, 1994). Since defining empowerment is complex, empowerment in the context of this study was defined as processes whereby individuals achieve increasing control of various aspects of their lives and participate in the community with dignity (Lord & Hutchison, 1993).

Empowerment theory is based on the concept that the individual or group of individuals gains a voice in decisions

that affect them, and the social structure that encourages or discourages that development (Rappaport, 1987). It is used in research as a way to predict and explain the behavior of an individual or group within social constraints and amount of power that is had in decision outcomes. Empowerment theory diagnoses powerlessness as a social problem and not an individual problem, and criticizes the conservative tendency to diagnose manifestations of powerlessness, dependence, despair, and self-blame as the personal (at times cultural) problems of individuals (Elisheva, 1997). However, to fully understand the concept of empowerment, an examination of powerlessness or disempowerment is required. Powerlessness or disempowerment is created by negative valuations based on membership of a stigmatized group or some objective vulnerable conditions people hold (Solomon, 1976).

Patriarchal Bargaining

Recent household models have developed analytical concepts such as “co-operative conflicts” (Sen, 1990), patriarchal bargaining (Kandiyoti, 1997), and women’s “fall-back position” (Agarwal, 1994), as tools to study gender disputes over resource allocations and entitlements within households. In 1988, Kandiyoti first defined patriarchal bargain as the existence of a set rules and scripts regulating gender relations, to which both genders accommodate and acquiesce, yet which may nonetheless be contested, redefined, and renegotiated. It is the way that “women strategize within a set of concrete constraints in order to maximize their power and opportunities”, which may vary from class to class, caste to caste and ethnicity to ethnicity (Kandiyoti, 1988, p. 275). Women’s responses in conflict situations can also be identified as patriarchal bargaining occurring under conditions of classic patriarchy where women bargain with male kin by exerting all the pressure they can muster to make men live up to their obligations in exchange for submissiveness and propriety (Kandiyoti, 1997, p. 472). However, patriarchal bargaining as the term suggests, is unequal bargaining, with women invariably being the weaker partners in the bargaining process, partly because women often lack independent resources or the legal and community support that would strengthen their fallback position in situations of conflict.

Methodology

A qualitative semi-structured method was used to elicit information on the experiences of 52 divorced women from semi urban and rural communities in Ekiti State, Nigeria. A convenience sampling method was utilized to select samples because it is far less complicated to set up, and considerably less expensive (Cohen, Marion, & Morris, 2007, p. 113). The primary purpose of conducting focus groups is to achieve the “chaining” or ‘cascading’ effect – talk links to, or tumbles of, the topics and expressions preceding it” (Lindlof & Taylor, 2002, p. 182).

We used purposive and convenience sampling method for this study. Participants were identified through acquaintances and informal contacts and the primary criteria

for referral were women who were legally divorced or separated for at least one year. Participants interviewed referred other divorcees who were willing to participate in the focus groups. This recruitment technique is called snowball sampling because I built my sample based upon references of women we already interviewed (Lindlof & Taylor, 2002; Potter, 1996).

A total of 52 divorced women were successfully interviewed and the criteria for inclusion comprise capacity to express their emotions and inner feelings with relative ease without shame or inhibition and willingness to express their feelings. The purpose of the study was explained to respondents both orally and in writing and written consent was obtained for participation. Participants were also assured of anonymity and confidentiality by giving pseudonyms.

Data was collected through Focus-Group Discussions (FGD) and In-Depth Interviews (IDI). Both methods of data collection were used because they were appropriate for seeking to know better the cultural communication methods, language, and forms of actions between cultural players, and processes and thoughts that are otherwise hard to observe without intimate, in-depth, private, trusting conversation (Lindlof & Taylor, 2002). A total of 52 women participated in the study. 4 focus-group discussions (with at least six participants in the group) were conducted which was organized by age and place of residence. Twelve women participated in the In-Depth Interviews (IDI). The fundamental assumption of this study is that much was gained by examining the viewpoints of 52 respondents on divorce-related issues. The data collection was based on the principles of data saturation. According to Bryman (2008) and Sandelowski (2000), numbers are not important in ensuring adequate samples as the concern in qualitative sampling is about the depth of the data, not with the empirical generalization. According to H. J. Rubin and I. S. Rubin (1995), reaching this point can help the researcher gain completeness when each participant’s responses are contributing significantly to answering the research question. As the authors put it, “what is important is not how many people you talked to, but whether the answer works” (p. 73). Data collected were transcribed verbatim and a thematic analysis was adopted in contextualizing the experiences of the divorced women.

Findings

Initiation of Divorce

When we asked the participants who initiated divorce, most of them described their experiences. The purpose of this question is to know who took the decision to opt out of the marriage. This is considered necessary since it is assumed that this will influence the outcome of the divorced women which is pertinent to this study. Out of the 52 respondents, 29 of the women said they initiated divorce, 13 said their husbands did while the remaining 10 said their husband’s relations did. In few cases, some of the women who initiated divorce had mutual agreement with their husbands. Regarding this issue, a woman detailed her experience:

"When it was becoming too difficult for me to get pregnant after 12 years of marriage, I suggested to my husband to take another wife. I was not getting any younger neither was my husband who happens to be an only child. He didn't agree initially but due to the mounting pressure, he gave in" (Grace, a 43-year old woman).

Another one said:

"My husband and I both carried Sickle Cell traits. We lost the two boys we had to sickle cell disease. When the stigma of my inability to give him another child became unbearable, I made it clear that I was ready to divorce him so that he could take a second wife. He accepted and we filed our divorce" (Bambo, 31years old).

Debo shared her experience:

"My husband was not responsible at all. He was a drunkard and a womanizer. He did not contribute to our children's upkeep. He turned me into a punching bag. I have tolerated him for so long. I got tired and filed for divorce" (Evelyn, 35 years old).

On the other hand, some of the women reported that their husbands initiated divorce. A woman reported thus:

"I got to know that my husband was having an extramarital affair with another woman. I confronted him and he did not deny it. He told me to leave since he has decided to bring her home. The next thing I got was the divorce documents" (Peju, 32-years).

Tiana has this to say:

"My husband accused me of witchcraft and his family members supported him against me. They said I have used my witchcraft to make him wretched. My things were thrown out and for him to be able to marry another woman; I was forced to concede to a divorce" (Tiana, 44 years old).

Another interviewee shared her own experience as follows:

"My mother-in-law was the architect of my divorce. She stated it categorically that since my husband married me, he has neglected her. As a matter of fact, the day I decided to pack out, she threatened that if I don't leave, I would regret it" (Doyin, 35-years).

The role of social network in the divorce process

Social network in the context of this study is defined as the social structure made up of a set of social actors (such as individuals or organizations) and a set of the dyadic ties between these actors (Wasserman & Faust, 1994). Three of the interviewees mentioned their in-laws earlier as initiators of the divorce process while about seven interviewees mentioned that their husband's friend, their personal friends and their religious organizations played a role in the divorce process. Modupe reported,

"My husband's friends played a significant role in our divorce. They supported him in marrying a second wife but I was not ready to stay under the same roof with another woman who is an illiterate."

The contribution of a 38-year old woman who is a civil servant further explains the situation.

"The Church we attend played a significant role in our di-

vorce. A girl in the choir was an orphan and our pastor introduced her to my husband so that we can assist her. I accepted and we agreed that she should pack into our house. Before I knew what was happening, my husband had impregnated her. I reported this to the elders in the church and I was advised to accept her as my junior wife. This was too much for me to bear and I packed out of the house" (Deborah, 38 years old).

Titilayo has this to say:

"My closest friend played a significant role in our divorce. I was not aware that she was having an affair with my husband. When I discovered this, I confronted my husband and my friend. To my greatest surprise, about a week after, my husband packed out of the house. The next thing I got was the divorce letter" (Titilayo, 45-years old).

Negotiations between the women and their ex-husbands before divorcing

When asked if they had discussions aimed at reaching an agreement with their husbands on the divorce process, they differed in their responses. Some of the respondents said they did not because it was not necessary since they have made up their minds while others said they did. One of the respondents states this:

"What do I have to negotiate with him? Is it for me to agree with him to continue to abuse me till he kills me? I have negotiated with him more than three times but nothing good came out of it" (Lizzy, 28-years old).

In contrast to the above, Maria, a 33-year old woman said:

"We did have discussions aimed at reaching an agreement. The agreement at the end of the day was not in my favor".

Influence of divorce on women

Marriage plays a pivotal role in societal relationships. Through marriage, Nigerian women gain respect, self-esteem and dignity among others. However, with the increasing rate of divorce in Nigeria, it is pertinent to know the effect divorce has on women. The focus of this question is to know whether the interviewees was empowered by having the ability to gain understanding and control over personal, social, economic and political forces in order to take action to improve their divorce situations or otherwise. This is considered necessary since it is assumed that it would give an understanding of ongoing social processes in the area of divorce in a patriarchal society like Nigeria which is pertinent to this study. All the participants had differing opinions on the influence divorce has on them depending on their religion, educational level and age. Some of the responses of the participants are as follows:

Folake has this to say:

"For me to have divorced my husband, I was disempowered in so many ways. Though most of the responsibilities at home were bore by me before the divorce, so I'm not talking about financial disempowerment but social disempowerment" (Folake, 35-years old).

Another one said:

"I was greatly affected by the divorce due to my economic

dependence on my husband. My children and my relatives put all the blame on me. They thought I was not patient enough." (Grace, 41 years old).

Mopelola reported:

"My four children were young when I left their father. I had to explain to them how I was battered and maltreated by their father and his relatives when they were asking questions. This made them hate him and his relatives with a passion. My three girls now find marriage very repulsive and a no-go-area for them because they believe all men are like their father." (Mopelola, 46-yrs).

The contribution of a 45-year old woman who is a business woman further explains the situation.

"As for me, I was both empowered and disempowered. I was empowered because I have total control over my life, to decide what is best for me and my children, acquire assets that are very good investments and I expanded my business. I was disempowered because I lost great opportunities because I was divorced. I was to hold a position in my Town, but I was denied the position because they prefer to have a woman who is capable of managing situations in Town but because I was divorced, I was seen to have failed in a fundamental way." (Deborah, 38 years old).

Yewande has this to say:

"I dreamt of marital bliss but when the tide turned, the prospect of divorce became a nightmare. Though I was very happy to leave an abusive marriage, but it dawned on me that the divorce actually left a big vacuum. I remembered a day I was discussing with a male church member after service on Sunday, the wife was looking at us suspiciously from a distance. I had to round-up the conversation quickly and I asked him for his mobile phone number. Immediately his wife saw that I was taking his number, she rushed over to where we were and told me to take her number instead". (Yewande, 31-yrs old).

In contrast to the above, Maria, a 33-year old woman said:

"I feel empowered being divorced from an irresponsible and unreliable man. What is the essence of staying in a marriage where every day is hell? Though people see me as an irresponsible person but it is not about them, it is about me, my children and our future".

Corroborating the above, Evelyn reported that:

"All's well that ends well. Although the divorce storm was very overwhelming, but it came as a comfort to me and my children. I feel empowered to do more for myself and my children. There is no more competition and I'm in my own world". (Evelyn, 43 yrs-old).

Discussion

The Patriarchal Bargaining was useful in understanding that the participants in this study strategized within a set of concrete constraints in order to maximize their power and opportunities, however it was an unequal bargaining, with women invariably being at the receiving end. According to Kandiyoti (1997), different forms of patriarchy present women with distinct "rules of the game", with varying potential for active or passive resistance in the face of oppression. These patriarchal bargains not only inform women's rational choices,

but also exert a powerful influence in shaping the more unconscious aspects of women's subjectivity (Inhorn, 1996). A high proportion of the divorced women initiated divorce to be free from: violence, being in a polygamous union and to save their faces due to stigma from being childless. Inhorn (1996) reported that a woman who cannot produce heirs (especially male heirs) to her husband's patrimony is deemed "useless" by the husband patrilineage, which desires offspring for the purposes of social reproduction.

Just a few of them reported that their social network played active role in the divorce process. Joseph (1993, p. 452), examined the interaction between patriarchy and "connectivity", a psychological term coined by Catherine Keller (1986) to denote relationships in which a person's boundaries are relatively fluid, so that persons feel a part of significant others. The study finds that only a few of the divorced women negotiated with their ex-husbands before packing out while others just packed out when the husband was not at home. For those who negotiated, negotiations were on who to keep custody of their children, assets sharing, children upkeep, and whether the divorced woman was to continue or discontinue use of the husband's name.

Summarily, the findings revealed that almost half of the divorced women reported that they were empowered in some areas depending on their socio-economic status, educational qualifications and age but overall, the outcome(s) of divorce was more disempowering than empowering for the vast majority of the divorced women. From the findings, majority of the respondents were socially disempowered which means they lost their self-esteem, dignity and respect while some reported that they were financially disempowered. Some scholars have argued that all women are economically vulnerable outside of marriage, or at least once a marriage ends (e.g. In: Pamela et al; 1999 - Delphy, 1984; Delphy & Leonard, 1992; Okin, 1991; Thorne, 1992). Divorce has implications for their children as evidenced from their responses. There is a strong research base supporting the intergenerational transmission of divorce (e.g., D'Onofrio et al., 2007). It has been suggested that both reduced commitment to marriage as an institution and lower confidence that marriages can remain stable and happy may partially account for the heightened risk for divorce among adults from divorced families (Amato & DeBoer, 2001; Glenn & Kramer, 1987). By observing their parents separate and divorce, children may learn that marriage is impermanent. Compared to adults from non-divorced families, those whose parents divorced disagree more with the notion that marriage is a lifelong, permanent relationship (Amato & DeBoer, 2001). Individuals with divorced parents tended to delay marriage or not marry at all. However, among those who married, there were more divorces among the offspring of divorced parents than among offspring of parents who were still married. Offspring of divorce tended to marry other offspring of divorce. These marriages were at especially high risk of dissolution. Parental divorce was particularly influential as a risk factor during the first years of marriage. Both parental divorce and the individuals' own divorce were risk factors for psychological distress (Storksén et al., 2007).

Conclusion

This paper highlighted the outcomes of divorce for divorced women in semi-urban and rural areas in Ekiti State, Nigeria. From the findings, as long as women are disempowered by being divorced, more women will be forced to

remain in abusive marriages which has grave consequences for their health, social, psychological, and physiological well being. Given the increasing rates of divorce in Nigeria, it is of program and policy relevance to better understand ways in which women could be empowered to cope with divorce.

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